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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,373	06/20/2003	Leslie W. Richards	CM-101US	8509
24314	7590	11/25/2005	EXAMINER	
JANSSON, SHUPE & MUNGER & ANTARAMIAN, LTD 245 MAIN STREET RACINE, WI 53403			HECKENBERG JR, DONALD H	
			ART UNIT	PAPER NUMBER
			1722	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/600,373

**Applicant(s)**

RICHARDS, LESLIE W.

**Examiner**

Donald Heckenberg

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-14 and 23-25 is/are allowed.
- 6) ☒ Claim(s) 1-7, 11, 15, and 17-22 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. The finality of the rejection of the last Office Action has been withdrawn based upon Applicant's remarks and amendment filed 05 November 2005 and upon reconsideration of the prior art as described below. The amendment filed on 05 November 2005 has been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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4. Claims 1-6, 15, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Pub. No. 11-42644 (previously of record; hereinafter "JP '644") in view of Pleasant et al. (U.S. Pat. No. 6,168,415; previously of record). Reference below will be made to the drawings of JP '644, as well as the computer translation and English abstract both previously made of record.

JP '644 discloses a baffle plate for installation in a coolant passage of a mold. The baffle comprises a coolant-encountered fin (20) and base member (25) in mechanical engagement therewith (see Fig. 2). The based member (25) has a round sidewall of diameter greater than the baffle plate and a knob (25b) which serve as a mold connection portion (see Fig. 3). As shown in Figs 1, 2, 5, 6, and 9 the fin can have a coolant contacting portion that is plate-like or helical.

JP '644 specifically discloses the base member to be mechanically attached to the coolant-encountering fin through a mating connection with a male interconnecting member (24 and 24a) integral with the fin and a female interconnecting member (25a) integral with the base member. JP '644 appears to show this connection to be tight in that the male and female portions are closely sized (see Fig. 2). JP '644, however, does not explicitly disclose the strength of the engagement.

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Pleasant et al. discloses a baffle device for use in a coolant passage of a molding device. The baffle include a coolant encountering fin portion (102) and a base member (104). Pleasant notes that rigidity is important part of the device when in use in order to lock the baffle device a position within the mold (see cl. 6, ll. 19-21). As such, even though JP '644 does not explicitly disclose a tolerance-fit tight mechanical engagement between the fin and base member, it would have been obvious to one of ordinary skill in the art the time of Applicant's invention as such because such a design would have enable to the formation of a rigid baffle device that could be locked into position within the mold as suggested by Pleasant.

5. Claims 7, 11, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP '644 and Pleasant as applied to claims 1-6, 15, 17-20 above, and further in view of Kelly (U.S. Pat. No. 2,770,011; previously of record).

JP '644 and Pleasant disclose and suggest the baffle plate as described above. JP '644 and Pleasant do not disclose a mold connecting portion and extension portion as recited in claims 7, 11, and 22. Kelly, however, discloses an injection-type molding machine provided with a baffle device (48), wherein the baffle includes a mold connecting portion with a threaded outer surface

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and a extension portion which extends from the mold connection portion to the coolant fin (Fig. 2). The configuration of the device allows the baffle to be situated within the injection mold (see Fig. 2). Thus, it would have been obvious to one of ordinary skill in the art of the art at the time of Applicant's invention to have modified the baffle plate of JP '644 and Pleasant as such to have included a threaded mold connecting portion and an extension portion because such a configuration is known in the art to allow for the baffle plate to be positioned within an injection mold as suggested by Kelly.

6. Applicant's arguments with respect to claims 1 and 15 have been considered but are moot in view of the new ground(s) of rejection.

7. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


8. Claims 12-14 and 23-25 are allowed.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Heckenberg whose telephone number is (571) 272-1131. The examiner can normally be reached on Monday through Friday from 9:30 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith, can be reached at (571) 272-1166. The official fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<<http://pair-direct.uspto.gov>>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

 11-21-5  
Donald Heckenberg  
Primary Examiner  
A.U. 1722